

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RAMIAH WHITESIDE,

Plaintiff,

v.

Case No. 10-C-725

WILLIAM POLLARD, et al.,

Defendants.

ORDER GRANTING EXTENSION

Plaintiff Ramiah Whiteside filed a motion for extension of the discovery deadline in the above matter. He explains that there have been delays in discovery being produced by the defendants and, further, that he is limited in his ability to research his case at the prison law library. Also pending before the Court is a motion to compel in which Whiteside requests that the prison in which he is held be directed to more promptly deliver mail to his cell so that he is able to respond to Court orders and other litigation related correspondence.

The motion for an extension of the discovery date is granted. The parties will have an additional sixty days until April 4, 2011 in which to complete discovery and file dispositive motions. The state Defendants have objected that Plaintiff is seeking information he already has or that involves another inmate's medical records. The Defendants are correct that such records could not be produced, and in any event they do not appear relevant because no one is contesting the other inmate's HIV-positive status. The question is whether there is evidence that any of the Defendants knew or should have known that the inmate had threatened to infect other inmates with HIV. To the extent Plaintiff's discovery requests seek such information (it is not perfectly clear from his motion), they are fair game for discovery. In addition, this case has not been significantly delayed thus far, and this Court routinely grants (sometimes multiple) motions for extensions of

time to state defendants in other cases. Plaintiff is hereby cautioned, however, to focus on the issues relevant to this case rather than medical information about other inmates.

Plaintiff's Motion to Compel, however, will be denied. There is no showing that any of the defendants are directly responsible for any delays in plaintiff receiving his mail. Those defendants with supervisory authority, however, are now on notice of plaintiff's difficulty receiving his mail. Future delays, if unreasonable and without explanation, may be brought to the Court's attention by plaintiff with a renewal of his motion at that time.

The motion for an extension of time is **GRANTED**; the motion to compel is **DENIED**.
Discovery will close April 4, 2011. Motions will be due May 31, 2011.

SO ORDERED this 4th day of February, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge